

REMARKS

Claims 1, 16, 18, 20 and 22-27 were examined. Claims 1, 18, 24 and 25 are amended. Claims 1, 16, 20, and 22-27 remain in the Application.

The Patent Office objects to claims 1, 16, 18 and 20. The Patent Office rejects claims 24 under 35 U.S.C. § 102(e). The Patent Office rejects claim 25 under 35 U.S.C. § 103(a). The Patent Office finds claims 22-23 and 26-27 allowable over the prior art of record. Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

A. Objection to Claims 1, 16, 18 & 20

The Patent Office objects to claims 1, 16, 18 and 20 because of certain informalities. Claims 1 and 16 are amended to address the concerns raised by the Patent Office. Applicant respectfully requests the Patent Office withdraw the objection to claims 1, 16, 18 and 20.

B. 35 U.S.C. § 102(e): Rejection of Claim 24

The Patent Office rejects claim 24 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Number 5,675,172 of Miyamoto, et al. (Miyamoto). The Patent Office directs attention to **Figure 8B** of Miyamoto where adjacent transistors have gate electrodes each of titanium nitride. See column 11, lines 28-33

Claim 24 is not anticipated by Miyamoto because Miyamoto does not describe a circuit device comprising a first transistor including a gate electrode comprising a first gate material and a second transistor complimentary to the first transistor including a second gate electrode comprising a second gate material that is different from the first gate material and that is a nitride of the first gate material. As noted above, Miyamoto describes adjacent gate electrodes as each of a titanium nitride material.

Applicant respectfully requests the Patent Office withdraw the rejection to claim 24 under 35 U.S.C. § 102(e).

C. 35 U.S.C. § 103(a): Rejection of Claim 25

The Patent Office rejects claim 25 under 35 U.S.C. § 103(a) as obvious over Miyamoto. The Patent Office notes that Miyamoto discloses titanium gate material and believes it would be obvious to substitute the titanium gate material for tantalum.

Claim 25 depends from claim from claim 24 and therefore contains all the limitations of that claim. As noted above, claim 24 differs from Miyamoto in that the first gate material and the second gate material described in claim 24 are different from each other. Accordingly, substituting tantalum for titanium does not cure the defect in Miyamoto.

Applicant respectfully requests the Patent Office withdraw the rejection of claim 25 under 35 U.S.C. § 103(a).

D. Allowable Subject Matter

The Patent Office indicates claims 1 and 18 would be allowable if rewritten or amended to overcome the objections set forth above. The Patent Office also indicates that claims 22-23 and 26-27 are allowable over the prior art of record.

Applicant appreciates the acknowledgement of the allowability of the above-noted claims over the prior art of record. Claims 1 and 18 are amended to address the concerns raised by the Patent Office. As noted above, Applicant believes claims 1, 16, 18 and 20 are in an allowable form.

CONCLUSION

Applicants make an amendment to the specification pursuant to 37 CFR §1.78 to clarify the description. Applicants do not intend to introduce new matter with the amendment. Applicants respectfully request that the Patent Office enter the amendment as presented.

Since the Application was filed before November 29, 2000, Applicants believe no fee is required. If a fee is required to claim the benefit of the earlier filing date, Applicants authorize the charge to Deposit Account No. 02-2666.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amber D. Saunders 11/2/05
Amber D. Saunders Date